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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/626,701	07/25/2003	Todd L. Brooks	1875.0840002 2676			
26111 7	590 07/30/2004	EXAMINER				
,	SSLER, GOLDSTE	CHANG, DANIEL D				
1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			ART UNIT	PAPER NUMBER		
	,		2819			
				DATE MAILED: 07/30/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

		Annlinetin	n No	Annti				
Office Action Summary		Applicatio	n No.	Applicant(s)	X			
		10/626,70	1	BROOKS ET AL.				
		Examiner		Art Unit				
		Daniel D. (2819				
Period fo	The MAILING DATE of this communication ap or Reply	pears on the	cover sheet with the c	orrespondence addres	SS			
THE - Exte after - If the - If NO - Failt Any	ORTENED STATUTORY PERIOD FOR REPL MAILING DATE OF THIS COMMUNICATION. nsions of time may be available under the provisions of 37 CFR 1. SIX (6) MONTHS from the mailing date of this communication. e period for reply specified above is less than thirty (30) days, a reper population of the provision of the provision of the period for reply is specified above, the maximum statutory period the toreply within the set or extended period for reply will, by statuting the provision of th	136(a). In no eve oly within the statu will apply and wil e, cause the appli	nt, however, may a reply be tin tory minimum of thirty (30) day I expire SIX (6) MONTHS from cation to become ABANDONE	nely filed s will be considered timely. the mailing date of this commu D (35 U.S.C. § 133).	unication.			
Status								
1)🖂	Responsive to communication(s) filed on 25 J	luly 2003.						
2a) <u></u>	This action is FINAL . 2b) This action is non-final.							
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is							
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.							
Disposit	ion of Claims							
4)🖂	Claim(s) 5-18 is/are pending in the application	۱.						
	4a) Of the above claim(s) is/are withdrawn from consideration.							
5)	Claim(s) is/are allowed.							
6)	Claim(s) is/are rejected.							
7)	Claim(s) is/are objected to. Claim(s) <u>5-18</u> are subject to restriction and/or election requirement.							
8)⊠								
Applicat	ion Papers	•			•			
9)[The specification is objected to by the Examine	er.						
10)	10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.							
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.								
Priority (under 35 U.S.C. § 119							
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 								
Attachmen	t(s)							
1) Notic	e of References Cited (PTO-892)		4) Interview Summary Paper No(s)/Mail Da					
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of In				ate atent Application (PTO-152	2)			
Paper No(s)/Mail Date 6) Other:								

DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I: Figures 6-7C (Claims 5-14);

Species II: Figures 5A-5C (Claims 15-18).

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to

be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel D. Chang whose telephone number is (571) 272-1801. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J. Tokar can be reached on (571) 272-1812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2819

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel D. Chang Primary Examiner

Art Unit 2819

DC

DANIEL CHANG PRIMARY EXAMINER